

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-352-S

IN RE: Petition of Quail Hollow Utilities,)	
Inc. For Approval Of The)	MOTION TO CONSIDER
Transfer Of Its Sewer System)	PETITION ON EXPEDITED
To The City Of West Columbia)	BASIS AND/OR EXPEDITE
)	FORMAL, CONTESTED
)	HEARING
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INTRODUCTION

Quail Hollow Utilities, Inc. (“Petitioner” or “Quail, Inc.”) hereby moves the Public Service Commission of South Carolina (“Commission”) to consider and approve the transfer of Quail, Inc.’s Sewer System to the City of West Columbia, South Carolina (“City”) at the next regularly scheduled weekly Commission meeting, because there is no substantial opposition to the relief sought in Quail, Inc.’s Petition, **and in the alternative**, expedite the formal, contested hearing previously scheduled in this matter. This Motion is made pursuant to 26 S.C. Code of Laws §§103-504, -836, -840 (1976, as amended), and other applicable Rules, Regulations, and Statutes. In support of this Motion, Quail, Inc. shows the Commission the following:

MOTION TO CONSIDER PETITION ON EXPEDITED BASIS

1. Other than the South Carolina Office of Regulatory Staff (“ORS”), only Quail Hollow Village Homeowners Association (“Association”) (which represents only thirty or so of Quail, Inc.’s customers out of over five hundred seventy customers) formally intervened.

2. Neither the South Carolina Department of Health and Environmental Control, nor anyone else formally intervened herein.

3. Only fourteen customers provided correspondence to this Commission requesting a Public Hearing. Quail, Inc. notes that at least one of those customers has now withdrawn their request for a Public Hearing in this matter. Quail, Inc. has reasonable expectations that more withdrawal requests are forthcoming.

4. On January 3, 2007, the Association filed and served Notice to withdraw its intervention herein. Also, the Association affirmatively requested this Commission to approve Quail, Inc.'s Petition.

5. The ORS has provided assurances to the Petitioner through its counsel that it supports a hearing on an expedited basis. Correspondence from ORS to Quail Hollow Subdivision Homeowners, dated December 13, 2006, stating that ORS has no pending actions against Quail, Inc. and is not aware of any failure of Quail, Inc. to comply with Commission regulations, is attached hereto as Exhibit "A."

6. Based on the foregoing, expedited approval of the relief sought in Quail, Inc.'s Petition is in the public interest. No adverse formal intervention remains, except for *de minimis* requests for a Public Hearing. The thirteen remaining requests for a Public Hearing before this Commission, out of a customer base of approximately five hundred seventy customers, is not substantial evidence for this Commission to require a Public Hearing.

MOTION TO EXPEDITE FORMAL, CONTESTED HEARING

7. In the alternative, if this Commission still believes that a Public Hearing is required, Quail, Inc. respectfully requests that the date for such a Hearing be scheduled as soon as practicable.

8. Quail, Inc.'s request is based on, *inter alia*, the contractual requirements of the agreement between Quail, Inc. and the City as set forth in Quail, Inc.'s Petition previously filed in this matter.

9. Additionally, Quail, Inc.'s request is based on the fact that all adverse formal intervention has been withdrawn in this matter.

CONCLUSION

Movant requests this Commission to: (i) inquire into the relief sought in this Motion; (ii) review **Exhibit "A,"** the pleadings and correspondence on file in this matter; (iii) because substantial opposition has not arisen, find a formal hearing is not required and that this matter may be decided at the next regularly scheduled weekly Commission meeting; (iv) or in the alternative, if this Commission still believes that a Public Hearing is required, Quail, Inc. respectfully requests that the date for such a Hearing be scheduled as soon as practicable, (v) conclude the approval sought by Petitioner should be granted; and (vi) provide such other and further relief, as this Commission deems just and reasonable.

WHEREFORE, Petitioner prays that based on the file in this matter and pursuant to S.C. Code Regs. §§103-504, -836, -840 and other applicable Rules, Regulations and Statutes, this Commission enter its Order granting the relief sought in this Motion, as requested hereinabove, and Petition, as previously filed.

Respectfully submitted,

/S/ _____
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**Attorneys for Movant Quail Hollow
Utilities, Inc.**

Exhibit "A"



December 13, 2006

**VIA EMAIL AND
U.S. MAIL**

Mr. Ben Mabry
1225 Pickens Street
Columbia SC 29201

Ms. Joy Upchurch
President, QHVHA
204 Black Hawk Terrace
W. Columbia, SC 29169

Shirley Hollingsworth
2600 Bull Street
Columbia SC 29201

RE: ORS Letter Concerning Status of Quail Hollow Utilities, Inc.
Docket No. 2006-352-S

Dear Mr. Mabry, Ms. Upchurch and Ms. Hollingsworth:

The purpose of this letter is to set forth the current status of Quail Hollow Utilities, Inc., ("QHU") and to respond to your inquiries and those present at the home owner associations' meeting of December 6, 2006.

The South Carolina Office of Regulatory Staff ("ORS") conducts investigations and on-site reviews of regulated water/wastewater utilities. As of the date of this letter, ORS does not have any current actions pending against QHU and ORS is not aware of any failure by QHU to comply with Commission rules and regulations.

At the December 6th meeting, members of the home owners associations inquired as to whether the performance bond posted by QHU may be used to offset the cost of any upgrades performed by the City of West Columbia after the transfer has been approved by the South Carolina Public Service Commission. S.C. Code Ann. § 58-5-720 (Supp. 2005). provides that the Commission "has the right, upon notice and hearing, to declare

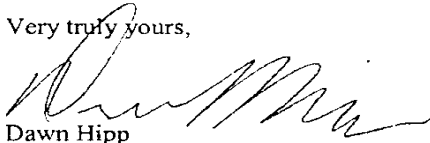
December 13, 2006
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all or any part of the bond... forfeited upon a determination by the Commission that the utility failed to provide service without just cause or excuse and that this failure has continued for an unreasonable length of time." QHU has not been found by the Commission to have failed to provide adequate service.

ORS appreciated the opportunity to meet with you and the home owners regarding the issues surrounding the proposed transfer of QHU to the City of West Columbia.

Should you have any questions or require additional information, please contact myself or Nanette Edwards at (803) 737-0800.

Very truly yours,



Dawn Hipp
Program Manager

cc: leonan7777@BellSouth.net
Dawn Hipp
Florence Belser, General Counsel, ORS

CERTIFICATE OF SERVICE

I, Rhonda G. Wimberly, an employee of Austin, Lewis & Rogers, P.A., hereby certify that I caused electronic copies of Quail, Inc.'s Motion to Consider Petition on Expedited Basis and/or Expedite Formal, Contested Hearing, PSC Docket No. 2006-352-S, to be electronically mailed on this date to each individual, as shown below:

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/S/ _____
Rhonda G. Wimberly

January 4, 2007